

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

SUIT NO.1710 OF 1990

Saatal Woollens Pvt.Ltd. ..Plaintiffs.

V/s.

Board of Trustees of the
Port of Bombay. ..Defendant.

None for plaintiffs.

Mr.U.J.Makhija i/b. Mulla & Mulla for defendant.

CORAM: A.M.KHANWILKAR, J

DATE : JULY 16, 2007.

P.C. :

1. Counsel for the defendant submits that even if the defendants have not filed written statement, there is no merit in the suit, for the simple reason that the nature of relief claimed is available to the plaintiff in recovery or demand proceeding.

2. Be that as it may, matter is listed under caption "Undefended Suits for Exparte Decree". As none appears for the plaintiff, nor their advocates have chosen to appear, the suit is dismissed for non-prosecution.

(A.M.KHANWILKAR, J)